REMARKS

This Amendment is responsive to the Office Action dated December 16, 2003. In that Action, the Examiner rejected claims 1, 3-6, 11, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Duchesne '234 in view of Belmonte '033. Applicant respectfully traverses the Examiner's rejection of the claims and offers the foregoing amendments and following remarks in support thereof.

Claims 7, 8 and 19-21 were allowed.

Claims 9, 10 and 14-18 were objected to but indicated to contain allowable subject matter if rewritten in independent form to include all limitations of the base claim and any intervening claims.

Claims 1, 7, 9, 11-14, 17, 18, 20 and 21 have been amended. Claims 22-31 have been added. No new matter has been inserted. Claims 1 and 3-31 remain pending in the application. Applicant respectfully requests reconsideration of the Examiner's rejections.

The amendments to claims 7, 11-13, 18 ("removed" to "removably" and "connector portion"), 20 and 21 are for form and clarity and not for purposes of patentability. The amendments to claims 9, 14, 17 and 18 merely rewrite these claims to independent form.

Independent claim 1 now states that the assembly includes a first means for removable securement of the belt to the garment at a back portion of the belt with respect to the wearer and a second means for removable securement of the belt to the garment at a front portion of the belt with respect to the wearer. Duchesne only removably secures the belt to the garment at a back portion of the belt (through belt loop 38 disposed on back wall 12 of buoyancy compensating jacket). Belmonte fails to correct this deficiency.

New independent claim 22 claims that the first side member is secured to the center member in use and is releasable from its

securement when not in use. Dependent claim 23 adds this feature for the second side member. Assuming, arguendo, that there is some motivation to replace the Duchesne belt with the Belmonte belt, the proposed combination still fails to teach this feature. The various parts of the Belmonte belt are sewn together and are not releasable when not in use.

New independent claim 26 requires at least one releasable weight assembly attached to the belt. There is absolutely no motivation, teaching or suggestion in Duchesne for replacing the Duchesne belt with a belt having a releasable weight assembly (such as, but not limited to, the Belmonte belt). Furthermore, Duchesne teaches away from using a belt having a releasable weight assembly, as the belt is not accessible during use (surrounded by back section 12 and flaps 14 and 16 of buoyancy compensating jacket 10). Thus the weight could not be released.

New dependent claim 27 states that the releasable weight assembly is attached to a non expandable portion of the belt. As indicated above, Applicant respectfully submits that there is no motivation to replace the Duchesne belt with a belt having a releasable weight assembly belt. However, assuming, arguendo, that such combination is proper, Belmont requires the weight assembly to be part of the expandable portion of the belt, not the non expandable portion as claimed by Applicant.

New independent claim 31 is similar to indicated allowable claim 18 except for the removal of the "means for removably securing including a first connector portion attached to the center member and a mating second connector portion attached to said garment" language.
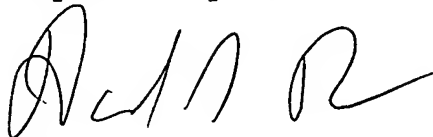
Applicant has completely responded to the Office Action dated December 16, 2003. Favorable action is respectfully requested.

Any additional charges, including Extensions of Time, please

bill our Deposit Account No. 13-1130.

Respectfully submitted,

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